

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 17, 27, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokogawa (US patent No. 5,608,715) in view of Nagano (US patent No. 6,188,653).

Regarding claims 17, 27, 31, Yokogawa teaches an information recording medium comprising a plurality of recording layers to record therein information, wherein at least one of the plurality of recording layers has a management information area to record therein at least (i) first recording condition information which indicates a first optimum recording condition for a first recording layer of the plurality of recording layers when the information is recorded into the first recording layer and (ii) a second recording condition information which indicates a second optimum recording condition for a second recording layer of the plurality of recording layers when the information is recorded into the second recording layer (see col. 3, lines 61-63; col. 6, line 39 – col. 7, line 15, see also figs. 22 and 23).

Yokogawa does not teach the first recording condition information is different from the second recording condition information. However, it would have been obvious to have had the first recording condition information being different from the second recording condition information for system flexibility.

Art Unit: 2627

Yokogawa does not teach the recording condition information is periodically recorded in the management information area of the first recording layer. The preceding limitation is taught in Nagano (see col. 8, lines 2-5). It would have been obvious to have incorporated the teaching of Nagano into the teaching of Yokogawa in order to be sure the latest condition information is stored.

3. Claims 21-23, 25, 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokogawa in view of Nagano and Lee et al. (U.S. Patent 7,113,475).

Regarding claim 21, Lee teaches identification information 10a (Fig. 1) for identifying the information recording medium is recorded in the management information area (Fig. 1). It would have been obvious to have incorporate the teaching of Lee into the combination of Yokogawa in view of Nagano in order to find the recording layer more quickly.

Regarding claim 22, Lee teaches the recording condition information is at least partially recorded (pre-recorded by manufacturer) from the beginning of production of the information recording medium, as pre-information of the information recording medium (Fig. 1; column 4, lines 5-10).

Regarding claim 23, Lee the first and second recording condition information 30 (Fig. 1) are at least partially recorded or updated (re-recordable), as written-once or rewritable information (Fig. 1).

Regarding claim 25, Lee teaches the management information area (lead- in) is disposed in each of the recording layers Fig. 1; each recording layer has its lead-in area).

Regarding claim 33, Lee teaches the first and second recording condition information 30 includes optimum power information (disc test) of laser for recording (Fig. 1).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY NGUYEN whose telephone number is (571)272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph Haley/  
Primary Examiner, Art Unit 2627

/HUY NGUYEN/  
Examiner, Art Unit 2627